

ORDINANCE NO. 09-24

**ORDINANCE REAPPROPRIATING \$15,000 OF
PROCEEDS OF OBLIGATIONS NOT NEEDED FOR
THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE
FOR INSTALLATION OF TRAFFIC SIGNALS AT
RAILROAD CROSSINGS IN THE BOROUGH AND OTHER
RELATED EXPENSES IN AND BY THE BOROUGH OF
WESTWOOD, IN THE COUNTY OF BERGEN, NEW
JERSEY.**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WESTWOOD, IN THE COUNTY OF BERGEN, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF ALL MEMBERS THEREOF AFFIRMATIVELY CONCURRING) AS FOLLOWS:

Section 1. Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$15,000.00 of the proceeds of obligations originally made available pursuant to Section 3(a) of Bond Ordinance No. 07-10 of the Borough of Westwood, in the County of Bergen, New Jersey (the "Borough"), finally adopted May 22, 2007, is no longer necessary for the purposes for which the obligations previously were authorized.

Section 2. The \$15,000.00 described in Section 1 and made available pursuant to N.J.S.A. 40A:2-39 is hereby reappropriated to provide for the installation of traffic signals at various railroad crossings in the Borough, and including all work and materials necessary therefor or incidental thereto.

Section 3. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 4. This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The foregoing bond ordinance is hereby approved.

Date: _____

Approved:

Attest:

John Birkner, Jr., Mayor

Karen Hughes, Borough Clerk

NOTICE OF PENDING BOND ORDINANCE

PUBLIC NOTICE IS HEREBY GIVEN that the foregoing bond ordinance was duly introduced and passed upon first reading at a regular meeting of the Borough Council of the Borough of Westwood, in the County of Bergen, New Jersey, held on _____, 2009. Further notice is hereby given that said bond ordinance will be considered for final passage and adoption, after public hearing thereon, at a regular meeting of said Borough Council to be held in the Municipal Complex, 101 Washington Avenue, Westwood, New Jersey on _____, 2009 at _____ o'clock p.m., and during the week prior to and up to and including the date of such meeting, copies of said bond ordinance will be made available at the Borough Clerk's Office in the Municipal Complex to the members of the general public who shall request the same.

Karen Hughes, Borough Clerk

NOTICE OF ADOPTION OF BOND ORDINANCE

PUBLIC NOTICE IS HEREBY GIVEN that the bond ordinance published herewith has been finally adopted by the Borough Council of the Borough of Westwood, in the County of Bergen, New Jersey on _____, 2009, and the 20-day period of limitation within which a suit, action or proceeding questioning the validity of such bond ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this notice.

Karen Hughes, Borough Clerk

CLERK'S CERTIFICATE

I, Karen Hughes, Borough Clerk of the Borough of Westwood, in the County of Bergen, State of New Jersey, HEREBY CERTIFY as follows that:

1. The attached copy of Ordinance No. _____ of said Borough entitled as set forth below and finally adopted on _____, 2009, has been compared by me with the original thereof officially recorded in the Ordinance Book of the Borough and is a true and correct copy thereof and of the whole of said original Ordinance. The title of said Ordinance is as follows:

**ORDINANCE REAPPROPRIATING \$15,000 OF
PROCEEDS OF OBLIGATIONS NOT NEEDED FOR
THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE
FOR INSTALLATION OF TRAFFIC SIGNALS AT
RAILROAD CROSSINGS IN THE BOROUGH AND OTHER
RELATED EXPENSES IN AND BY THE BOROUGH OF
WESTWOOD, IN THE COUNTY OF BERGEN, NEW
JERSEY.**

2. Said Ordinance was introduced in writing and read and passed on first reading at a regular meeting of the Borough Council of said Borough duly called and held on _____, 2009 (a true and correct copy of an extract of the minutes of the meeting is attached hereto), and was passed on second reading and finally adopted by the recorded affirmative vote of at least two-thirds of all the members of said Borough Council, at a regular meeting thereof duly called and held on _____, 2009 (a true and correct copy of an extract of the minutes of the meeting is attached hereto), following the holding of a public hearing thereon at which all interested persons were given an opportunity to be heard.

3. Said Ordinance was published after first reading, on _____, 2009, together with the Notice of Pending Bond Ordinance, containing the date of introduction, time and place of further consideration of said Ordinance, in the _____, a newspaper published and circulating in the Borough (a true and correct copy of the affidavit of publication of said Ordinance is attached hereto).

4. On _____, 2009, said Ordinance was posted on the bulletin board in the Municipal Building of the Borough together with notice of the availability of copies of said Ordinance at the Office of the Borough Clerk, and such copies of said Ordinance were made available to all members of the general public requesting the same.

5. After final passage, said Ordinance was duly published, together with the Notice of Adoption of Bond Ordinance, on _____, 2009 in the _____, a newspaper published and circulating in the Borough, and no protest

by any person against making the improvement or issuing the indebtedness authorized in said Ordinance, nor any petition requesting that a referendum vote be taken on the action proposed in the Ordinance has been presented to the governing body or to me or filed in my office nor has any such action or proceeding questioning the validity of such Ordinance has been commenced within 20 days after such publication (a true and correct copy of the affidavit of publication of said Ordinance is attached hereto).

6. Said Ordinance when introduced was complete in the form in which it was finally adopted and remained on file in the Office of the Borough Clerk for public inspection from the date of introduction to the date of final adoption.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Borough this ____ day of _____, 2009.

(SEAL)

Karen Hughes, Borough Clerk

ATTACHMENTS

- A) Ordinance
- B) Extract of minutes of Borough Council meeting at which Ordinance was introduced
- C) Extract of minutes of Borough Council meeting at which Ordinance was finally adopted
- D) Affidavit of First Publication of Ordinance after introduction
- E) Affidavit of Second Publication of Ordinance after final adoption